## 

(SPACE BELOW FOR FILING STAMP ONLY)

		(SPACE BELOW FOR FILING STAMP ONLY)
,	LAW OFFICES OF	
1	JOHN A. CHRISTERSON, State Bar No: 088096	,
2	311 Bonita Drive Aptos, California 95003	
3	Telephone No: (831) 662-8444	
4	Facsimile No: (831) 662-0227	
4	E-Mail: jchristers@aol.com	
5.	Attorney for Cross-Defendant,	
6	Sherman M. Unell, Trustee	
7		
8	UNITED STATES DISTRICT COURT	
9	NORTHERN DISTRICT OF CALIFORNIA	
10	GANI TOCE DIVIGIONI	
11	SAN JOSE DIVISION	
12	Franklin & Cibula Composition Mork U	CASE NO. CV 11 5292 1 11V
13	Franklin S. Cibula Corporation, Mark H.  Cibula as Executor of the Estate of Franklin S.)	CASE NO: CV 11 5383 LHK
14	Cibula, )	ORDER TO DISMISS
15	) Cross-Complainants )	CROSS- COMPLAINT
13	Cross-Complaniants )	AS TO CROSS-DEFENDANT SHERMAN M. UNELL,
16	United States Department of Treasury,	Trustee of the Sherman M. Unell
17	Internal Revenue Service, and Sherman )	Declaration of Trust, dated 2/14/1986
18	M. Unell, Trustee of the Sherman M. Unell ) Declaration of Trust Dated 2/14/1986, and )	(Fed R Civ Proc 41(a)(1)(A)(ii))
	ROES 1 to 50,	
19	One are De Grande and a	JUDGE: LUCY H. KOH
20	Cross-Defendants. )	
21		
22	For good cause shown as set forth in the	Stipulation of Voluntary Dismissal Pursuant of
	To good eache shows as set form in the superation of voluntary Dishinssar I disdant of	
23	F.R.C.P. 41(a)(1)(A)(ii) filed herein, the Court hereby accepts the stipulation of the parties hereto	
24	and, therefore, the court orders that:	
25	1. This Cross-Complaint is dismissed without prejudice as to the cross-defendant,	
26		
27	Sherman M. Unell, Trustee of the Sherman M. Unell Declaration of Trust Dated	
II		

Order To Dismiss Cross-Complaint

28

2/14/1986, and

Case No: CV 11 5383

## Case 5:11-cv-05383-LHK Document 31 Filed 04/18/12 Page 2 of 2

2. The hearing set for July 26, 2012 at 1:30 p.m. with regard to Cross-Defendant, Sherman M. Unell's, Motion to Dismiss Cross-Complaint as to Cross-Defendant, Sherman M. Unell, Trustee of the Sherman M. Unell Declaration of Trust, dated 2/14/1986, shall be taken off calendar.

Dated: April 18, 2012

Honorabil Lucy H. Koh